

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

A.F., a minor, acting by and through her mother  
KRISTEN WEST, et al.,

Plaintiffs,

v.

KELSEY SMITH, MD, et al.,

Defendants.

Case No. CIV-20-507-J

TRIAL DOCKET: OCTOBER 2022

**FOURTH AMENDED SCHEDULING ORDER**

☒ JURY TRIAL DEMANDED – ☐ NON-JURY TRIAL

**THE COURT SETS THE FOLLOWING DEADLINES**

1. Motions to join additional parties to be filed  
N/A.

2. Motions to amend pleadings to be filed N/A.

3. Plaintiff(s) to file a final list of expert witness(es) and submit expert reports to Defendant(s) and file a final list of witnesses, together with addresses and brief summary of expected testimony where a witness has not already been deposed by March 11, 2022.\*

4. Defendant(s) to file a final list of expert witness(es) and submit expert reports to Plaintiff(s) and file a final list of witnesses (as described above) by June 20, 2022.\*

5. (a) Plaintiff(s) to file a final exhibit list by June 20, 2022.\* Defendant(s) to file objections to Plaintiff(s) final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B) by July 5, 2022.

(b) Defendant(s) to file a final exhibit list by July 5, 2022.\* Plaintiff(s) to file objections to Defendant(s) final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B), by July 20, 2022.

**\*The listing of witnesses and exhibits shall separately state those expected to be called or used and those which may be called or used if the need arises. Except for good cause shown, no witness will be permitted to testify, and no exhibit will be admitted in any party's case in chief unless such witness or exhibit was included in the party's filed witness or exhibit list.**

6. Discovery to be completed by August 5, 2022.

7. All dispositive and *Daubert* motions to be filed by July 1, 2022.

**If the deadline for dispositive motions and *Daubert* motions precedes the discovery deadline, the parties are expected to conduct any discovery necessary for such motions in advance of the motion deadline.**

8. TRIAL DOCKET: October 2022\*

\*Trial dockets generally begin the second Tuesday of each month; however, this practice varies, particularly during holidays. The published trial docket will announce the trial setting.

**The interval between the dispositive motion/*Daubert* deadline and the trial docket is relatively inflexible. An extension of time to file or respond to a motion for summary judgment will likely affect the trial setting.**

9. Designation of deposition testimony to be used at trial to be filed by September 1, 2022. Objections and counter-designations to be filed by September 10, 2022.\*

**\*Parties objecting to use of deposition testimony must submit with their objections, the relevant portions of the deposition transcript with specific testimony highlighted.**

10. Motions in limine to be filed by September 1, 2022.\*

**\*Unless the Court grants leave to file separate motions in limine, all motions in limine shall be consolidated into a single filing, which shall be subject to the page limitation in LCvR 7.1(d).**

11. Requested voir dire to be filed by September 1, 2022.

12. Trial briefs (optional unless otherwise ordered) to be filed by September 1, 2022.

13. Requested jury instructions to be filed on or before September 1, 2022.\*

14. NON-JURY CASES ONLY: Proposed findings and conclusions of law to be filed by no later than N/A.\*

**\*In addition to filing, the parties are encouraged, but not required, to submit their proposed jury instructions or findings of fact and conclusions of law in Word format to the Clerk via the Court's designated mail box: jones-orders@okwd.uscourts.gov**

15. Responses to motions in limine shall be filed within **14 days**. Any objection or response to the trial submissions referenced in ¶ 11, 12, 13, or 14 shall be filed within **7 days**.

16. The Final Pretrial Report, approved by all counsel and in full compliance with Local Rules (*see* Appendix IV), together with a proposed order approving the report, to be filed by September 1, 2022.

17. This case is referred to the following Court-sponsored ADR/settlement process or special trial track:

- ☐ by agreement of the parties, with the approval of the Court:  
☒ by Order of the Court:
- ☒ Mediation  
☐ Judicial Settlement Conference  
☐ Other \_\_\_\_\_

If the case is referred to mediation or some other form of private ADR, the process shall be completed, and a report filed with the Court by the parties, stating whether the case settled, not later than May 15, 2022.

18. ☐ The parties consent to trial by Magistrate Judge.

19. Initial disclosures pursuant to Fed. R. Civ. P. 26: ☒ have been made, ☐ are excused, or ☐ shall be made no later than \_\_\_\_\_.

20. Other:\_\_\_\_\_.

Dated this 9<sup>th</sup> day of March, 2022.

BY ORDER OF THE COURT  
CARMELITA REEDER SHINN, CLERK OF THE COURT

By: /s/ D. Wayne Lee  
Deputy Clerk